

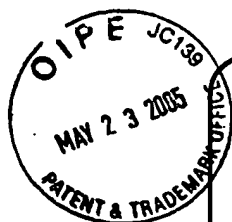
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PTO/SB/08A (08-00)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 1

### Complete if Known

Application Number	09/743,758
Filing Date	January 16, 2001
First Named Inventor	Ralf SCHWEINFURTH et al.
Group Art Unit	1761
Examiner Name	Nina Bhat
Attorney Docket Number	MERCK-2192

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
NB	A1	6,773,499		Schoen et al.	08-10-2004
	A2	5,858,078		Andes et al.	01-12-1999
NB	A3	6,488,756		Schoen et al.	12-03-2002

### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
NB	B1	WO	98/56261		The University of British Columbia	12-17-1998		
NB	B2	AU	199950336	B2	MERCK Patent GmbH	02-07-2000		

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
NB	C1	Notice of Opposition to a European Patent, February 3, 2005.	
NB	C2	Letter to Angela Evans, dated April 21, 1998, and accompanying documents.	
NB	C3	QC Test Procedures, MERCK KGaA, July 1996.	
NB	C4	Commission Directive 95/45/EC of 26 July 1995 laying down specific purity criteria concerning colours for use in foodstuffs.	
NB	C5	European Parliament and Council Directive No. 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners.	
NB	C6	Bernard, Bruce K. et al., Toxicology and Carcinogenesis Studies of Dietary Titanium Dioxide- Coated MICA in Male and Female Fischer 344 Rats, Journal of Toxicology and Environmental Health, 29:417-429, 1990.	
NB	C7	European Parliament and Council Directive 94/36/EC of 30 June 1994 on colours for use in foodstuffs.	
NB	C8	Candurin product brochures of August 1996.	

Examiner Signature	<i>NBhat</i>	Date Considered	3/3/06
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 808. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (MPEP Standard 81.2). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under MPEP Standard 81.19 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached. Number refers to English language corresponding family member.